

AO 91 (Rev. 02/09) Criminal Complaint

FEB 27 2019

## UNITED STATES DISTRICT COURT

for the  
Southern District of Texas

Clerk of Court

United States of America

v.

Reynaldo Capetillo

COB: US

YOB: 1977

Defendant

Case No.

M-19-0464-M

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 02/26/2019 in the county of Hidalgo in the Southern District of  
Texas, the defendant violated 8/21 U. S. C. § 1324, 841 and 846  
, an offense described as follows:

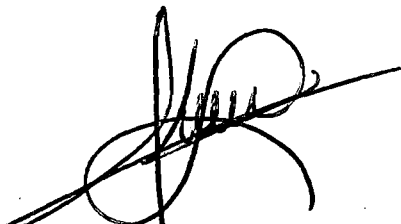
Knowingly and in reckless disregard of the fact that aliens who had entered the United States in violation of law, did enter into conspiracy with others unknown to harbor and transport aliens by means of a private vehicle in furtherance of such violation of Title 8 USC 1324 within the United States, this is, from a location in unknown location in Texas, to another location in Falfurrias, Texas

Knowingly and intentionally possess with the intent to distribute approximately 1.4 kilograms of cocaine

Knowingly and intentionally conspire to possess with the intent to distribute approximately 1.4 kilograms of cocaine.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

2/27/19

City and state:

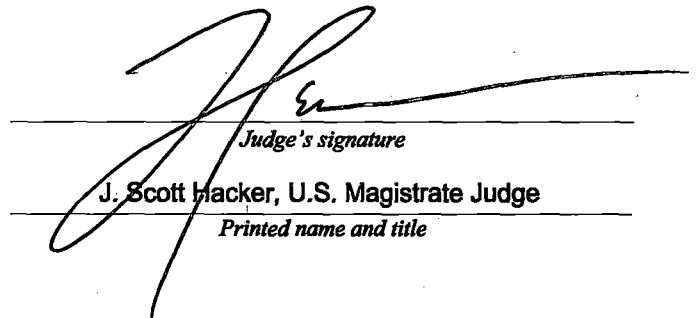
McAllen, Texas



Complainant's signature

Jose O. Ovalle Jr., HSI Special Agent

Printed name and title



Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

## ATTACHMENT A

On February 26, 2019, at approximately 2:00p.m., a blue Freightliner tractor bearing Tennessee license plates E7487HY arrived at the Falfurrias Border Patrol Checkpoint. The Freightliner tractor is registered to E.T.C. INC., the driver Reynaldo Capetillo stated he was a United States Citizen and the owner of the tractor. While Border Patrol Agents interviewed Capetillo they noticed a positive alert for narcotic smuggling on the Freightliner tractor entered in February 2019.

Capetillo was asked if anyone else was traveling with him and replied "no." Capetillo was then asked if he had ever been arrested before and he replied yes, "smuggling people." Capetillo then gave Border Patrol Agents verbal consent to search the vehicle and the tractor was referred to secondary inspection. Once in secondary, agents searched the cab of the tractor, discovering three subjects hiding within the sleeper area of the tractor. Questioning of the three subjects it was determined all were undocumented aliens (UDAs) illegally present within the United States. The three UDAs were removed from the cab and taken into the checkpoint to await interviews.

Agents continued searching the tractor area and discovered a blue backpack in a shelf area containing a white powdery substance that field tested positive for the characteristics of cocaine. Capetillo was then escorted into the checkpoint to await processing.

As agents attempted to obtain biographical information from Capetillo and details of the smuggling event Capetillo refused to answer any questions.

At approximately 7:40p.m., Homeland Security Investigations (HSI) Special Agents (SAs) Tanner Fulmer and Jose Ovalle Jr., arrived at the checkpoint to conduct interviews of the three undocumented aliens.

HSI SA Tanner Fullmer and Border Patrol Agent (BPA) Raul Cardenas in the Spanish language interviewed Julio Manuel LEDESMA-Tejeda, a citizen of the Dominican Republic. LEDESMA-Tejeda told agent he was smuggled into the United States picked up by a vehicle and taken to some apartments where a Tractor Trailer was waiting to transport him to Atlanta. LEDESMA-Tejeda told agents the driver of the Tractor Trailer described as heavy-set male, having brown complexion, wearing blue jeans, a shirt and a baseball cap told the group to get into the sleeper compartment. LEDESMA-Tejeda said the driver told him to hide by covering himself with a blanket. LEDESMA-Tejeda said the driver told the group to be quiet and not say anything.

HSI SA Tanner Fullmer and BPA Raul Cardenas in the Spanish Language interviewed Lizbeth SESENA-Rojas, a Mexican national. SESENA-Rojas told agents her and her brother-in-law Uri JUAN-Landa also a Mexican national were smuggled into the United States walked through the brush picked up in a vehicle and taken to a stash house.

SESENA-Rojas told agents from there the pair were taken to another unknown location where a tractor trailer was parked outside of the building. SESENA-Rojas, her brother-in-law, and another unknown young male (later identified as LEDESMA-Tejeda), were instructed by the driver of the Tractor trailer to get into the sleeper compartment where the driver told JUAN-Landa to lift the bed so that SESENA-Rojas would be able to hide underneath the bed. SESENA-Rojas believed that the driver was taking her, JUAN-Landa, and the other subject to Houston.

HSI SA Jose Ovalle Jr., and Border Patrol Agent (BPA) Andres Degollado in the Spanish language interviewed Uri JUAN-Landa a Mexican national. JUAN-Landa told agents he and his sister-in-law Lizbeth SESNA-Rojas, also a Mexican National were smuggled into the United States walked through the brush picked up in a vehicle and taken to a stash house.

JUAN-Landa told agents his mother-in-law living in the United States made arrangements with smugglers and they did not pay smugglers any money. JUAN-Landa he and his sister-in-law were moved to several stash house areas until today's date where they were driven to hotel or apartment where they waited for a few minutes until they were told to enter the parked tractor trailer. JUAN-Landa said when he entered the tractor the driver a man wearing blue jeans, a head set (Bluetooth headset) told them go to the sleeper area where they were instructed to hide. According to JUAN-Landa the driver told each of the three where to hide, telling the group to turn off their cellular telephones and remove the batteries.

JUAN-Landa said during the drive north the driver was overheard speaking in English over his headset. JUAN-Landa believed the driver was taking him to Houston, Texas.

Agents asked the three undocumented aliens if they were able to see when the driver (Capetillo) placed the backpack into the sleeper area shelf. All three told agents they did not see Capetillo place any bags in the sleeper, indicating the bag was already in the truck when they climbed into the tractor.